



CHILD CARE REGULATION

Childcare regulations are intended to protect children from risk of harm while in out-of-home care. Every state assumes responsibility for regulating childcare. The federal government has not set national childcare standards. Regulations vary widely among the states regarding requirements for group size, ratios of children per staff member, teacher training, and nutrition, health, safety and space requirements. Regulations do not assure high quality of care. Instead, they set the minimal level of quality protection that must be present when children are in childcare.

Regulations do several other things:

- They teach providers about important aspects of childcare
- They inform parents about what to expect from childcare

These rules will dictate whether a childcare program will become licensed or will continue being licensed.

WISCONSIN CHILD CARE NEED NOT BE REGULATED WHEN:

- Parents are on the premises for shopping, exercise, training or other non-work purposes
- Care is occasional, as in that offered at a monthly club meeting
- No more than three children, unrelated to the caregiver, are younger than age seven (Older children may also be a part of such a group)
- The program is part of a public or private school, and school officials have legal responsibility for it
- Care is given in the child's own home

REASONS TO BECOME REGULATED

- The caregiver may reduce liability risks by following published rules and industry standards and evaluation on health and safety issues
- Many parents prefer regulated care, knowing some degree of monitoring takes place
Wisconsin requires families eligible for public funding to use a regulated program
- To be eligible for:
 - Food program reimbursement
 - Certain income tax benefits
 - Local and state grants and loan



WISCONSIN LEVELS OF REGULATION

- **Certification: (rules administered by varying agencies)**

Requires:

- References
- Criminal record check for applicant and any employees, volunteers, and non-client residents 10 years of age and older
- A fingerprint-based criminal background check for licensees, adult household members and caregiver employees of programs that are receiving or eligible to receive payments from Wisconsin Shares every five years
- Provider TB test
- Initial site visit (to establish basic health & safety requirements)
- Effective 4/1/18 all certified family childcare operators, including in-home operators, shall successfully complete department-approved preservice training within three (3) months of certification:
 - Introduction to the Child Care Profession (Module A)
 - Fundamentals of Family Child Care
 - Infant/Child Cardiopulmonary Resuscitation (CPR)
 - Training in Child Abuse & Neglect (Effective 9/30/19)
 - Note: Completion of the *Introduction to the Child Care Profession* meets the requirement for child abuse and neglect training.
 - CPR training must result in a certificate of completion. If the certificate of completion does not have a date specifying the length of time for which it is valid, the CPR training must be renewed every year.
 - Must complete the Sudden Infant Death Syndrome (SIDS) training if caring for children less than one year of age
- Must complete Shaken Baby Syndrome Prevention (SBS) training, if caring for children under five years of age
- May care for no more than 3 children under the age of 7 who are not related to the provider, and an additional 3 children
- Some counties may require that an applicant graduated from high school, obtained a high school equivalency diploma or obtained a certificate of general education development
- 10 hours of annual continuing education

New applicants meeting preservice training requirements may be granted Regular Certification. New applicants not yet meeting preservice training requirements may be granted Provisional Certification and must complete required training within three (3) months of certification.



LICENSING: (state rules administered by Department of Children and Families)

• Licensed Family Child Care

- Is usually offered in the provider's own home
- Before caring for more than three children, unrelated to the provider, a license for family childcare must be applied for and obtained. The provider must include his/her children under the age of seven in this count. No more than eight children, at any one time, are allowed in licensed family childcare homes.
- Health and safety requirements are more extensive than for certification
- Must complete 3 credits of broad-based early childhood training or non-credit course in caring for children approved by the department
- Must complete a non-credit course in operating a childcare business approved by the department or its equivalent
- Must receive and document 15 hours of continuing education each year in child growth and development, early childhood education, caring for children with disabilities or first aid as approved by the department
- Within 3 months of licensure must maintain a current certificate for a department-approved course in infant and child CPR including training in the use of an automated external defibrillator
- Within 6 months of becoming licensed or working in a center to care for children under age 2, a provider shall have completed at least 10 hours of department-approved training in the care of infants and toddlers
- Must complete Shaken Baby Syndrome Prevention training if caring for children under five years of age
- Caregivers must have a physical exam and negative TB test
- Provide references and pass a criminal record check on themselves and any person 10 years or older, residing in the home or working for them
- A fingerprint-based criminal background check for licensees, adult household members and caregiver employees of programs that are receiving or eligible to receive payments from Wisconsin Shares
- The licensing specialist may or may not grant a probationary license after a thorough review of all requirements and/or circumstances
- The probationary license is valid for a six-month period, during which the provider must complete all training requirements
- Indoor and outdoor equipment and toys to meet the needs of various ages of children in care are required
- Indoors, 35 square feet per child of usable play space is required
- Outdoors, 75 square feet per child of usable play space is required
- Outdoor play space, a permanent enclosure not less than 4 feet high is required
- Written policies and procedures for your childcare center are required



• Licensed Group Child Care

- Group childcare applies to programs who will serve nine or more children. These same rules apply to centers that are open only part of the day (such as nursery schools or after school programs) and those that are open full day. All are licensed as childcare centers.
- The building must conform to:
 - Local zoning
 - State of Wisconsin building code regulations
- More formal training and continuing education are required for group center staff.
- Staff are required to have:
 - Physical exam and TB test
 - Criminal record check
 - Fingerprint-based criminal background-check every five years
 - Orientation Plan for staff
 - Continuing Education Plan
- The ages of children determine staffing patterns and group sizes of those in care.
- General liability insurance is required.
- Written policies and procedures for the following are required:
 - Admission Mildly III Child Care (if applicable)
 - Discharge of Enrolled Children Nutrition
 - Fee Payment and Refund Transportation (if applicable)
 - Child Education Orientation of New Staff and Volunteers
 - Child Guidance Continuing Education for Staff
 - Emergency Plans Personnel
 - Health Care
- The physical center must have:
 - At least 35 square feet of usable floor space per child in each classroom
 - Space for storing each child's clothing and personal belongings
 - Enough bathroom facilities
 - Indoor equipment and toys adequate for licensed capacity
 - Outdoor play space (minimum of 750 sq. ft.) and outdoor play equipment
- Additional requirements apply to the following programs:
 - Those offering Infant and Toddler Care
 - Those serving only school-age children
 - Night care (anything between 9:00 pm - 5:00 am)
 - Care of Mildly III Children
 - Transportation



- **For further information regarding certification:**

Milwaukee Early Care Administration:

<https://dcf.wisconsin.gov/cccertification>

Your Local Child Care Resource & Referral Agency

<https://supportingfamilies.together.org/child-care-resource-referral-agencies/>

- **For further information regarding licensing:**

Your Regional Licensing Office

<https://dcf.wisconsin.gov/cclicensing/contacts>

Your local Child Care Resource & Referral Agency

<https://supportingfamilies.together.org/child-care-resource-referral-agencies/>

To order a copy of the licensing rules and other useful information visit the DCF website at:

<https://dcf.wisconsin.gov/cclicensing/rules>

To download form DCF-F 2022 Ordering Information - Child Care Licensing Inquiry Packets:

<https://dcf.wisconsin.gov/files/forms/pdf/2022.pdf>

SFTA staff work throughout the state to help connect people who are seeking information about childcare and regulation with agencies who can help them. They provide limited free licensing preparation technical assistance to help obtain a childcare license. They also provide quality improvement for existing programs, consultations and training on a fee-for-service basis.

For more information visit: www.supportingfamilies.together.org

Child Care Resource & Referral Agencies (CCR&Rs) provide training; maintain databases on all regulated childcare in the 72 counties throughout the state of Wisconsin and help parents locate child care based on their needs.

For more information visit: <http://supportingfamilies.together.org/member-directory/>